

REMARKS

The applicant respectfully requests reconsideration of claims 60, 62-66, 68-69, 71-75 and 77 in view of the foregoing amendment. The indication that claims 67 and 76 incorporate allowable subject matter, is noted and appreciated.

A. Claims 60-77 have been rejected under 35 U.S.C. § 112, second paragraph, for allegedly failing to distinctly claim the present invention.

Claims 60 and 69 have been amended to more clearly define the invention in that the structural strands are so altered "to their selected nominal shapes forming windings having tubular profiles." Accordingly, it is submitted that claims 60-77 comply with the second paragraph of section 112.

B. Claims 60, 62-64, 66, 69, 71-73, and 75 have been rejected under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 6,712,835 (Mazzocchi).

C. Claims 60-64, 66, 68-73, 75, and 77 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,582,461 (Burmeister).

D. Claims 65 and 74 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mazzocchi or Burmeister in view of International Application Publication No. WO 94/24961 (Schneider).

With respect to rejections B, C and D, claim 60 has been amended to incorporate the subject matter of claims 61 and 67, and accordingly is believed to be in condition for allowance. Similarly, claim 69 has been amended to incorporate the subject matter of claims 70 and 76, and accordingly is believed to be in condition for allowance. Claims 60, 67, 70 and 76 are cancelled. The remaining claims depend either on claim 60 or claim 69.

In reply to the inquiry concerning copending applications, copending application Serial No. 10/619,888 concerns similar subject matter in the context of three-dimensional braiding. This application was published April 15, 2004 under Publication No. 2004/0073293A1.

In summary, it is submitted that claims 60, 62-66, 68-69, 71-75 and 77 incorporate subject matter patentable over the prior art of record, and define that subject matter with the

clarity and precision required under 35 U.S.C. 112, 2nd paragraph. An early and favorable action allowing these claims is earnestly requested.

Respectfully submitted,

Boston Scientific Scimed, Inc.

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CERTIFICATE OF EXPRESS MAILING

Pursuant to 37 C.F.R. § 1.10, I hereby certify that the foregoing Amendment Pursuant to 37 C.F.R. 1.116 in Application Serial No. 10/775,961 is being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, as of the date and under the mailing label indicated below:

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